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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,794	11/06/2000	Shigeto Kobayashi	Q61485	6035

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EXAMINER	
SELBY, GEVELL V	
ART UNIT	**PAPER NUMBER**
2615	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/705,794	KOBAYASHI, SHIGETO	
	Examiner	Art Unit	
	Gevell Selby	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-9 and 11-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☒ Claim(s) *1,3-9 and 11-16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see the amendment, filed on 7/8/04, with respect to the rejection(s)of claim(s) 1, 3, and 4 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Deguchi.

2. Applicant's arguments filed 7/8/04 have been fully considered but they are not persuasive for claims 5-9.

Examiner's Answer:

The applicant submits the prior art does not disclose all the claim limitations for the following reasons:

claims 1 and 5) The claimed combination would not have been obvious to one skilled in the art based on the teachings of Deguchi since the exposure head (40) in Deguchi is fixed;

claim 7) Neither reference discloses the detection of batteries;

claim 8) There is no disclosure or suggestion in Gowda or Deguchi (alone or in combination) that the detection of the recording medium triggers the preliminary emission process. The Examiner respectfully disagrees

Re claims 1 and 5) The Deguchi reference teaches the recording medium is not conveyed and raised into position until the device is ready to print (see column 2, lines 1-10, and column 7, lines 15-29). It is implied that even though the printing head is stationary moving the recording medium moves the printing head, relative to the exposure area, out of the exposure area.

Re claim 7) In the Gowda reference, it is inherent the electrical connection between the power source of the removable film cartridge and the camera creates a battery detection signal that alerts the camera when the power source is loaded causing the power to be restarted. The Deguchi reference discloses performing a preliminary process when the power is turned on. Therefore it is obvious a preliminary process will be performed when a power source is loaded because loading the power source causes another power on.

Re claim 8) In the Gowda reference, it is inherent the electrical connection between the power source of the removable film cartridge and the camera creates a battery detection signal that alerts the camera when the power source is loaded causing the power to be restarted. The Deguchi reference discloses performing a preliminary process when the power is turned on. Therefore it is obvious a preliminary process will be performed when a film cartridge is loaded because loading the power source causes another power on.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deguchi et al., US 6,295,080.

In regard to claim 1, Deguchi et al., US 6,295,080, discloses a printing method for an optical printer wherein a fluorescent display panel is driven as a light source of a

printing head based on electronic image data to print an image on a photographic recording medium(see column 1, line 64 to column 2, line 4), the fluorescent display panel having an array of light emitting elements (see column 5, lines 43-52), the printing method being characterized in that a preliminary emission a process is executed before the optical printer actually starts printing an image (see column 2, lines 5-9), to drive all of the light emitting elements of the fluorescent display panel for a constant time to remove deposited residual gas off the light emitting elements (see column 2, lines 55-57).

The Deguchi reference does not disclose wherein the printing head is moved out of an exposure area of the photographic recording medium during the preliminary emission process (see column 2, lines 1-10, and column 7, lines 15-29). The Deguchi reference teaches the preliminary emission process is preformed before printing and the recording medium is not conveyed and raised into position until the device is ready to print (see column 2, lines 1-10, and column 7, lines 15-29)..

Whether the printing head moves or is stationary and the recording medium is moved does not matter because both are equivalent in moving the printing head, relative to the exposure area, out of the exposure area and prevent the recording medium from being improperly exposed. It is implied that by modifying the Deguchi reference to have a movable printing head, the printing head would be moved out of the exposure area during the preliminary emission process in order to prevent the recording medium from being printed on.

Therefore, it would have been obvious to a person skilled in the art at the time of invention to configure the printing head of the Deguchi device to move out of the

exposure area of the photographic recording medium during the preliminary emission process in order to prevent the medium from being improperly exposed.

In regard to claim 3, Deguchi et al., US 6,295,080, discloses a printing method as claimed in claim 1, wherein the preliminary emission process is executed immediately before each image starts being printed (see column 3, lines 42-45).

In regard to claim 4, Deguchi et al., US 6,295,080, discloses a printing method as claimed in claim 1, wherein the preliminary emission process is executed immediately after a power switch of the printer is turned on (see column 2, lines 26-32).

5. Claims 5-9 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080.

In regard to claim 5, Gowda et al., US 6,628,333, discloses a printer-incorporated electronic still camera (see figure 1) having an imaging device for obtaining electronic image signals from optical images (see figure 1, element 110), a storage device for storing the electronic image signals in a memory (see figure 1, element 112), and a printing device for printing an image on a photographic recording medium based on the electronic image signals read out from the memory (see figure 1, element 114).

The Gowda reference does not disclose that the still camera comprises:

a fluorescent display panel as a light source of a printing head of the printing device, the fluorescent display panel comprising an array of light emitting elements in a vacuum container;

a driving device for driving the light emitting elements, the driving device making a preliminary emission process to drive all of the light emitting

elements for a constant time before driving the light emitting elements to print an image on the photosensitive recording medium based on the electronic image signals; and

wherein the printing head is moved out of an exposure area of the photographic recording medium during the preliminary emission process (see column 2, lines 1-10, and column 7, lines 15-29).

Deguchi et al., US 6,295,080, discloses a printing method for an optical printer wherein the driving device conducts a preliminary light emission to let the light-emitting sections of the recording head emit light for a predetermined time before image recording on a photosensitive material (see column 2, lines 4-9 and column 55-57). The Deguchi reference also discloses that the recording head of the device is a vacuum fluorescent print head comprising an array of light emitting elements (see column 1, lines 64-67 and column 4, lines 55-67). The printing head is removed from the exposure area of the recording medium by lowing the medium and not conveying it into position until the device is ready to print (see column 2, lines 1-10, and column 7, lines 15-29). It is implied that even though the printing head is stationary moving the recording medium moves the printing head, relative to the exposure area, out of the exposure area.

It would have been obvious to a person skilled in the art at the time of invention to be motivated to modify Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, to have a vacuum fluorescent print head and a driving device making a preliminary emission process to drive all of the light emitting elements for a constant time before driving the light emitting elements to print an image on the photosensitive

recording medium based on the electronic image signals in order to avoid the density fluctuation of the developed photosensitive material due to the light emission amount fluctuation of the light emitting sections of the recording head depending on its working history as taught by Deguchi (see column 2, lines 10-14) and to have the printing head is moved out of an exposure area of the photographic recording medium during the preliminary emission process in order to prevent the medium from being improperly exposed.

In regard to claim 6, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, discloses a printer-incorporated electronic still camera as claimed in claim 5, further comprising a timer for measuring an inactive period of the fluorescent display panel, wherein the driving device makes the preliminary emission process when the timer detects that the fluorescent display panel has not been driven for a predetermined time (see Deguchi: column 2, lines 32-34 and column 2, line 63 to column 3, line 6).

In regard to claim 7, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, discloses a printer-incorporated electronic still camera as claimed in claim 5, further comprising a battery detection device (electrical connection between integrated power source and camera) for detecting whether power source batteries are loaded in the still camera or not (see Gowda: column 6, lines 51-54), wherein the driving device makes the preliminary emission process when the battery detection device detects that the power source batteries are newly loaded (see Deguchi: column 2, lines 4-9 and column 3, lines 42-44).

The electrical connection between the power source of the removable film cartridge and the camera creates a battery detection signal that alerts the camera when

the power source is loaded. It is implied a preliminary process will be performed because loading the power source requires another power on.

In regard to claim 8, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, as described in regard to claim 5 above, discloses a printer-incorporated electronic still camera as claimed in claim 5 , further comprising a detection device (electrical connection between integrated power source and camera) for detecting whether the photographic recording medium is loaded in the still camera or not (see Gowda: column 6, lines 51-54), wherein the driving device makes the preliminary emission process when the detection device detects that the photographic recording medium is newly loaded (see Deguchi: column 2, lines 4-9 and column 3, lines 42-44).

The electrical connection between the power source of the removable film cartridge and the camera creates a battery detection signal that alerts the camera when the power source is loaded. It is implied a preliminary process will be performed because loading film also means that a new power source will be loaded and will require another power on.

In regard to claim 9, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, as described in regard to claim 5 above, discloses a printer-incorporated electronic still camera as claimed in claim 8, wherein the photographic recording medium is a self-development type photo film sheet (see Gowda: column 3, lines 66-67), and the still a camera is provided with a pack loading chamber (see figure 5A) for loading a film pack containing a plurality of self-development type photo film sheets therein (see Gowda: column 6, lines 51-54), and wherein the detection device

(electrical connection between integrated power source and camera) is located in the film loading chamber to detect whether the film pack is loaded or not.

In regard to claim 11, Deguchi et al., US 6,295,080, discloses the printing method of claim 1, wherein a color filter is disposed in a light path of the fluorescent display panel during exposure of the recording medium (see column 7, lines 43-49).

In regard to claim 12, Deguchi et al., US 6,295,080, discloses the printing method of claim 1, wherein a micro lens array is disposed in a light path of the florescent display panel during exposure of the recording medium (see column 7, lines 40-43).

In regard to claim 13, Deguchi et al., US 6,295,080, discloses the printing method of claim 11, wherein the color filter is one of a red filter, a blue filter and a green filter (see column 7, lines 30-33 and 43-49: It is implied there is a red filter in order for exposure head 41 to expose red light).

In regard to claim 14, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, discloses the still camera of claim 5. The Deguchi reference discloses composing: a color filter, wherein the color filter is disposed in a light path of the fluorescent display panel during exposure of the recording medium (see column 7, lines 43-49).

In regard to claim 15, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, discloses the still camera of claim 5. The Deguchi reference discloses comprising: a micro lens array, wherein the micro lens array is disposed in a light path of the fluorescent display panel during exposure of the recording medium (see column 7, lines 40-43).

In regard to claim 16, Gowda et al., US 6,628,333, in view of Deguchi et al., US 6,295,080, discloses the still camera of claim 14. The Deguchi reference discloses that the color filter is one of a red filter, a blue filter and a green filter (see column 7, lines 30-33 and 43-49: It is implied there is a red filter in order for exposure head 41 to expose red light).

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs

TUAN HO
PRIMARY EXAMINER